

Br. & Kaira Incumb. Ests.] ENACTMENTS APPLYING TO BOMBAY.

I do hereby direct that the immoveable property of the said shall be managed and his debts liquidated in the manner provided in the said Act by the Tálukdári Settlement Officer (or by).

Dated this

day of

18

(Signed)

Revenue Commissioner, N. D.

APPENDIX B.

Notice under Section 12.

No..

Station and date.

WITH reference to the order of the Revenue Commissioner, N. D., published at page of the *Bombay Government Gazette* of the of 18, directing that the immoveable property of be managed and his debts liquidated by me under the provisions of Act XIV of 1877, I hereby give notice and require, under Section 12 of the said Act, that all persons having claims against the said or against the said property under my management, shall notify the same in writing to me within six months from the date of the publication of this notice.

The attention of intending claimants is called to the requirements of Section 13 of the said Act.

Description of property, situation, and boundaries.

Tálukdári Settlement Officer.
(or Manager.)

APPENDIX C.

Notice under Section 26.

No.

Station and date.

WHEREAS the management of the immoveable property of was, by order of the Revenue Commissioner, N. D., published at page of the *Bombay Government Gazette*, dated the day of 18, vested in me, as the Manager appointed under Act XIV of 1877, and whereas all the debts and liabilities of the said mentioned in the liquidation scheme framed under the provisions of the said Act have been liquidated as therein provided (or in accordance with the orders of the said Commissioner), notice is hereby given, under Section 26 of the said Act, that my management of the said estate will terminate on the

Description of property, situation,

(For addition to this notice, see *Not. No. 4113*, dated 14th August 1878, printed below.)

Talukdāri Settlement Officer.
(or Manager.)

(1) *Notn. No. 4113*, dated 14th August 1878, B. G. G., 1878, Pt. I, p. 502.

—In exercise of the power conferred by Section 31 of Act XIV of 1877, the Governor in Council is pleased to make the following alterations in the rules published in the *Bombay Government Gazette* of the 16th August 1877, Part I, page 731, to take effect, in the case of the first and second, in respect only of those estates for which a liquidation scheme has not been already sanctioned.

(1) The following clause to be inserted in Rule 4 :—

(7a)—A claim supported by a decree of a Civil Court shall be subject to the same enquiry as any other claim; but in cases where it shall appear to the Manager that the suit was contested, and that the amount awarded either on account of principal or interest by the decree does not exceed by more than 25 per cent. the amount which could have been awarded by the Manager, if no such decree had been passed, the amount so awarded may be allowed, provided clause 1 of this rule be not infringed. But if interest subsequent to decree be claimed, it shall be calculated as if no decree had been passed.

(2) The following to be substituted for Rule 6 :—

6. All admitted debts shall be satisfied proportionately in the following order :—

1st.—Money lent on the security of the estate.

2nd.—Decreed and bonded debts.

3rd.—Account debts.

(3) The following to be added after the end of the form of notice under Section 26 in Appendix C, or else the following (as the case may be) :—

No.

Station and date.

WHEREAS the management of the immoveable property of _____ was, by Government Notification published at page _____ of the *Bombay Government Gazette* dated _____, vested in the Talukdāri Settlement Officer, as the Manager appointed under Act XV of 1871, and whereas all the debts and liabilities of the said _____ mentioned in the liquidation scheme framed under the provisions of the said Act, have been liquidated as therein provided; notice is hereby given, under Section 26 of Act XIV of 1877, that the management of the said estate by the undersigned will terminate on the _____.

Talukdāri Settlement Officer.

(1) See footnote (1) on page 482, *supra*.

Notn. No. 2274, dated 6th April 1882, B. G. G., 1882, Pt. I, p. 239.—The following amended rule is published in supersession of rule 9 of the rules under Section 31 of Act XIV of 1877, published at pages 731 and 732 of Part I of the *Bombay Government Gazette* dated the 16th August 1877 :—

If the creditors agree to accept a sum of money from the Manager in immediate satisfaction of all their claims against the debtor, and the Manager shall determine to borrow money from Government for the purpose of making such payment, the Manager shall, on receipt of the orders of Government sanctioning such loan, order payment to be made to the creditors from the Government Treasury, provided that the creditors shall first severally pass receipts in full for all their claims, and that if any fraud is subsequently discovered to have been committed by any creditor in respect to any money received by him under this rule, such creditor shall be liable to forfeit all sums so received, and all claim to further compensation for any debt due to him which may have been notified to the Manager for satisfaction under the Act. The interest chargeable on such loan shall be at the rate of 5 per cent. per annum, or at such rate as may be specially fixed by the Manager, with the sanction of Government, and shall be repayable together with the amount of the loan as provided in Section 11 of the Act.

⁽¹⁾ *Notn. No. 2485, dated 9th May 1879, B. G. G., 1879, Pt. I, p. 528.*—*Erratum.*—His Excellency the Honourable the Governor in Council is pleased to direct the substitution of the following rules for Rules 9 and 10 of the rules sanctioned under Section 31 of Act XIV of 1877, and published at pages 731 and 732 of the *Bombay Government Gazette* of 16th August 1877 :—

9. (For amended Rule 9, see Notification No. 2274, dated 6th April 1882, printed above.)

10. In estimating the amount of cash to be paid under the last rule in immediate satisfaction of admitted claims the following points are to be considered, (namely) :—

(a) The income of the debtor, the amount of the debt and the probability or improbability that the creditor would have been able to recover his debt if the Act had not been passed.

(b) The nature of the particular debt.

(c) The period for which the debt had been outstanding.

(d) The interest hitherto enjoyed by the creditor, the rate of interest originally fixed, and the proportion between the amounts due as principal and interest respectively at the present time.

⁽¹⁾ *Notn. No. 934, dated 21st February 1879, B. G. G., 1879, Pt. I, p. 124.*—In exercise of the power conferred by Section 31 of the Broach and Kaira Incumbered Estates Act, 1877, the Governor in Council is pleased to make the following addition to the rules published in the *Bombay Government*

(1) See footnote (1) on page 482, *supra*.

Gazette of 16th August 1877, Part I, page 731, as amended by the Notification published in the *Bombay Government Gazette* of 15th August 1878, Part I, page 502, (namely) :—

12. The fact of his having sanctioned a liquidation-scheme shall be notified by the Commissioner under Section 20 of the Act, by a written notice in English and Gujarati, which shall be published in the *Bombay Government Gazette*, and of which one copy shall be affixed in the Court of the Subordinate Judge within whose jurisdiction the debtor resides, or the bulk of his estate is situated, and one copy in the Court of the District Judge to whom such Judge is subordinate.

LOCAL RULES AND ORDERS MADE UNDER

Name of District.	Name of Subordinate
Karachi ...	Subordinate Civil Court of Schwa
Hyderabad ...	Subordinate Civil Court of Hyderabad.
	" Mahomed Khan's
	" Halla.
	" Nowshera.
Shikarpur ...	Subordinate Civil Court of Shikarpur.
	" Sukkur.
	" Larkhana and Mehar.
	" Jacobabad.

*Creating a Subordinate Civil Court in the Rohri Revenue Division
of the Shikarpur District.*

(1) *Notn., dated 22nd March 1882, para. 3, B. G. G. 1882, G.O. No. 1224.*
The Right Honourable the Governor in Council, in the following Notification in supersession of all previous Notifications affecting the same subject:—

Under the provisions of Section 4 of (Bombay) Act XII of 1866, a Subordinate Court of Original Civil Jurisdiction within the whole of the limits of the Rohri Revenue Division of the District of Shikarpur, with the jurisdiction specified in Section 5 of the said Act, is hereby created.

Limits of the Jurisdiction of the several Subordinate Civil Courts in Sind.

Notn. No. 201, dated 7th February 1885, S. O. G., 1885, Pt. I, p. 148.—In exercise of the powers conferred by Section 4 of Bombay Act XII of 1866, and in supersession of Judicial Notification, No. 2632 of the 30th October 1883 (*Sind Official Gazette* for 1883, Part II, page 413), the Commissioner in Sind, with the sanction of His Excellency the Right Honourable the Governor of Bombay in Council, is pleased to determine that on and after the first day of February 1885 the following shall be the limits of the territorial jurisdictions of the several Subordinate Civil Courts in Sind⁽²⁾:—

(1) The 1st paragraph of this Notification is superseded by Notification No. 2716, dated 23rd April 1883, printed at page 16, *supra*, and the 2nd paragraph by Notification No. 201, dated 7th February 1885, printed on this page.

(2) For the several alterations made in the limits of the jurisdiction of the Subordinate Civil Courts in Sind, see Notifications Nos. 634, 1967 and 363, dated, respectively, the 7th June 1890, the 1st September 1893 and 18th February 1897, printed at pages 491, 492 and 495, *infra*.